

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MATTHEW HOUSTON,

Plaintiff

v.

STATE OF NEVADA, et al.,

Defendants

Case No.: 2:19-cv-01472-APG-DJA

Order

Plaintiff Mathew Houston initiated this action in August 2019. ECF No. 1. In August 2020, I dismissed the complaint without prejudice, and with leave to amend. ECF No. 20. I gave Houston until September 11, 2020 to file an amended complaint, and warned Houston that if he failed to file an amended complaint, the case would be dismissed without prejudice. *Id.* at 4-5. Houston did not file an amended complaint, so on October 26, 2020 I dismissed the case without prejudice. ECF No. 21.

On September 8, 2022, almost two years after this case was closed, Houston moved to set aside the dismissal order. ECF No. 26. Houston filed several more motions to set aside the dismissal order or reopen the case. ECF Nos. 27, 31, 35, 36. I denied Houston's motions because none of his motions provided a valid basis to set aside the dismissal order. ECF No. 37. I explained that to the extent the motions could be construed as requesting relief based on excusable neglect, the motions were time-barred. *Id.* at 2.

Houston has now filed a motion for production of documents and another motion to reopen this case. ECF Nos. 38 and 39. The motion for production of documents requests "one complete copy" of this case. ECF No. 38. There is a per page charge for copy work. Copies

1 produced from an electronic format (CM/ECF) are \$.10 per page; copies produced from a
2 physical format are \$.50 per page. An inmate has no constitutional right to free photocopying.
3 *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991). The Court cannot provide free copies even
4 to indigent plaintiffs proceeding *in forma pauperis* as the *in forma pauperis* statute, 28 U.S.C. §
5 1915, does not authorize the Court to pay the costs for an indigent litigant's copy requests. I will
6 direct the Clerk of the Court to send Houston a courtesy copy of his complaint in this case, and a
7 copy of the docket sheet. If Houston would like copies of any of any of the other filings in this
8 case, he must fill out the appropriate paperwork and pay for the copies.


9 The motion to reopen this case does not provide any basis, or even any argument, to
10 reopen this case. ECF No. 39. Accordingly, I deny the motion.

11 **I. CONCLUSION**

12 I therefore order that Houston's motion for one complete copy of this case (**ECF No. 38**)
13 **is denied**. The Clerk of the Court is directed to send Houston a courtesy copy of his complaint
14 (ECF No. 9) and the docket sheet. If Houston wants copies of any other documents, he must fill
15 out the appropriate paperwork and pay for the copies.

16 I further order that Houston's motion to reopen this case (**ECF No. 39**) **is denied**.

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18 Dated: December 15, 2022

19 
20 U.S. District Judge
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